



Office of:
The Governor
The Secretary
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PUEBLO OF LAGUNA COUNCIL

Resolution No. 58-10

Re: Approval of Memorandum of Understanding between the Pueblo of Laguna and the Environmental Protection Agency, Region 6 Office, regarding CERCLA Activities.

At a duly called meeting of the Pueblo of Laguna Council held on the 22nd day of June 2010, the following Resolution was adopted

WHEREAS, the Pueblo of Laguna ("Pueblo") is a federally recognized Indian Tribe with all the inherent governmental powers of a sovereign nation; and

WHEREAS, Article IV, Section 2 (k) of the Pueblo Constitution grants to the Council authority to take actions to promote and protect the public health and welfare of the members and other residents of the Pueblo; and

WHEREAS, on October 13, 2009, a formal government-to-government consultation took place between the Pueblo and Environmental Protection Agency (EPA)-Region 6 Office, the purpose of which was to begin discussions on the impacts that past uranium mining activity on Pueblo lands has had on the Pueblo's air, land, water and other cultural resources; and

WHEREAS, at this Council meeting, the EPA proposed the concept of a Memorandum of Understanding (MOU) to facilitate consultation, coordination and cooperation among the Parties regarding plans and activities to assess the impacts of uranium mining and ensure the protection of human health and the environment, and the Pueblo Council agreed to pursue an MOU with the EPA; and

WHEREAS, the type of dialog and communication envisioned between the Pueblo and EPA is in furtherance of Presidential Memoranda issued in 1994 and 2004 and Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments," (Nov. 9, 2000), *Fed. Reg.* 67, and most recently with President Obama's directive to all federal departments and agencies to implement policies for direct consultation with Indian tribal governments; and

WHEREAS, after review and discussion on the provisions of the MOU by both parties, including their respective legal counsel, final recommendations for the provisions of such MOU were presented to the respective decision-making authorities and have been agreed upon; and

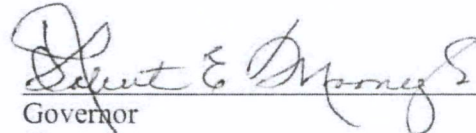
WHEREAS, the Council on May 4, 2010, considered and approved the proposed MOU and requested that representatives from the EPA Region 6 Office attend a Council meeting so that the two parties could sign the MOU at a duly called Council meeting.

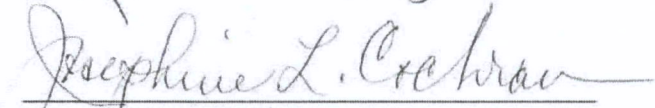
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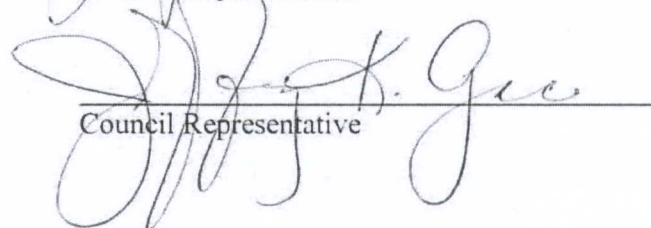


NOW, THEREFORE, BE IT RESOLVED that the Pueblo of Laguna Council hereby approves the MOU between the Pueblo and EPA, Region 6 Office, regarding CERCLA activities.

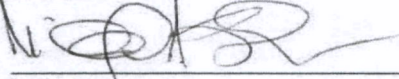
BE IT FURTHER RESOLVED that the Pueblo of Laguna Council hereby authorizes the Governor to take any and all action(s) necessary to implement and convey the Pueblo's position on this matter to the EPA, and to take any necessary action(s) associated with the meaning and intent of this Resolution.


Governor


Council Representative

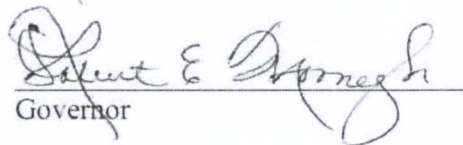

Council Representative

ATTEST:

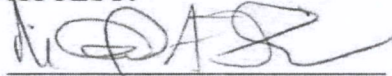

Tribal Secretary

CERTIFICATION

The foregoing Resolution was enacted by the Laguna Pueblo Council on the 22nd day of June, 2010, by a vote of 19 ~~22~~ for 8 against, at a duly called meeting at which a quorum of the Pueblo Council members was present.


Governor

ATTEST:


Tribal Secretary